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Case 2:10-cv-10978-PJD-MJH

UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FILED

2010 NOV 19 AM 11:49

U.S. DISTRICT COURT CLERK  
EAST DIST. MICH  
FLINT

AMERICAN UNIVERSITY OF ANTIGUA,  
COLLEGE OF MEDICINE, a foreign corporation,

Plaintiff,

V

CASE No.: 2:10-cv-10978-PJD-MJH  
Judge Patrick J. Duggan

STEVEN WOODWARD,

Defendant,

**Defendant's Motion for Protective Order**

### **Defendant's Motion for Protective Order**

#### **List of Exhibits:**

Exhibit 1: Final Grades

Exhibit 2: Oakland County Circuit Court Docket January 19, 2009

Exhibit 3: Oakland County Circuit Court Docket November 4, 2008

Exhibit 4: Sallie Mae Letter

Exhibit 5: Loan Certificates

Exhibit 6: Notarized Copy, Susan Zonia, MD

Exhibit 7: Susan Zonia Deposition

The Defendant believes the Plaintiff is forcibly seeking discovery for unethical purposes.

The Plaintiff has the motive, means, and history of deleting and/or altering evidence, and/or falsifying documentation as demonstrated in Docket 51 "Defendants Motion for Sanctions and Motion for Dismissal", Final Grades, Loan Certificates, and faculty Professional Credentials.

The Plaintiff admits that their student grades were Disclosed and their continued requests for Preliminary Injunctions against the Defendant further demonstrates their desire and purpose to cover-up this evidence.

The Plaintiff is attempting to discover evidence with the intent to alter and/or delete the evidence before trial.

The Defendant begs the Court to grant a Protect Order, both written and verbal for the purposes of protecting evidence.

(1) The Defendant caught the Plaintiff deleting and/or altering Court evidence, as exposed here and in Docket 51 "Defendants Motion for Sanctions and Motion for Dismissal".

The Defendant had to hire a Notary Public (Exhibit 6), to witness evidence, because the Plaintiff is untrustworthy and was deleting and/or altering evidence before trial.

The Defendant and the Court now endure undue burden and expense because the Plaintiff has violated 18 U.S.C 1506 by altering or deleting evidence.

(2) The Plaintiff falsified(fixed) the Final Grades(Exhibit 1) of students enrolled in a Clinical course at St Joseph Mercy Oakland Hospital in Pontiac, Michigan.

The Defendant's Final Grades(Exhibit 1) were falsified from an **80%** to an **"F"** for the purposes of committing perjury as presented before Judge Shalina Kumar of Oakland

County Circuit Court (Exhibit 2, page 2(5)) **“Woodward took and failed the fifth semester Final Exam.”** and **“ Woodward received an “F” for the fifth semester”** Note #2 at the bottom of page 5 states **“Woodward claims he actually passed the final exam”**

In the “Brief in Support of Answer to Plaintiff’s Motion for Entry of Default and Judgement”(Exhibit 3, page 2) to Judge Shalina Kumar, the Plaintiff wrote **“washed out”** concerning Steven Woodward, which is a total absolute lie before the Court and fraud against Steven Woodward.

The following are other examples of fraud committed against students during the same course at St Joseph Mercy Oakland Hospital. It should be noted that these grades (Exhibit 1) are only 10 of approximately 100 students that were enrolled in the 5<sup>th</sup> Semester course.

The Plaintiff assigned the grade of **“C”** to the person that had the **lowest grades (76%)** in the course, **Vishal Chheda**; giving a lower grade, **(C-)**, to **Lekedra Evans** who earned an **83%** in the course.

**Michael Ozuomba** also outperformed Vishal Chheda, earning a **77%**, but was given an **“F”** for the course.

This one course cost each student approximately \$12,000 for just school fees.

**(3) Devin Hewitt, Office of the Customer Advocate Sallie Mae, states “These loans were borrowed to finance your attendance at Kasturba Medical College; not American University of Antigua”(Exhibit 4).**

These student loans were managed by American University of Antigua. Two Nellie Mae Loan Certifications (Exhibit 5) are signed by the Dean of Student Services and Registrar, Sevrine Barrie, under the letter-head of Kasturba Medical College.

**(4) The Defendant has reason to believe the Plaintiff falsified the credentials of their faculty. Susan Zonia is published as having an “MD” implying a Medical Doctor (Exhibit 6).**

The Faculty and Staff page for Susan Zonia (Exhibit 6) and Susan Zonia’s own testimony (Exhibit 7, page 2 (7)) confirm that she has a PhD in sociology.

**(5) The Plaintiff’s continued requests for Preliminary Injunctions demonstrate that they disregard Civil Rights, both Due Process and Freedom of Speech.**

The request of a Preliminary Injunction demonstrates the Plaintiff's intent to cover-up their disclosure of student grades, obstructing justice for those students that seek damages for their suffering from this disclosure.

(6)The Defendant requests a "Motion of Protective Order" for the purposes of protecting evidence.

The Plaintiff can not be trusted with this information and has the motive, means, and history of modifying and/or destroying evidence.

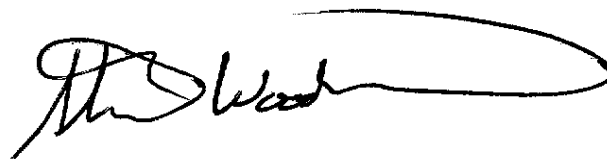
The Plaintiff has a history of falsifying documentation: student records, records to Oakland County Circuit Court, faculty credentials, and documents to a financial institution.

Docket 51 demonstrates that the Plaintiff has destroyed or altered evidence that was verbally disclosed by the Defendant during the Hearing on or about 4/19/2010.

The granting of the "Protective Order" will aid in preventing the Plaintiff from having access and opportunity to destroy or alter other Defense evidence.

The Defendant believes they are justified for a "Motion of Protective Order", since they are without counsel, due to financial reasons, and have little means of protecting evidence.

The Defendant requests the Court GRANT the Defendant a "Protective Order" against all Discovery, **verbal and written**, from Defendant by the Plaintiff for the purpose of protecting evidence.

A handwritten signature in black ink, appearing to read "The Defendant", with a long horizontal flourish extending to the right.

American University of Antigua College of Medicine  
 V Semester - Preliminary Clinical Training  
 Pontiac Michigan - St Joseph Mercy Oakland

Final Grades by Component - Fall, 2007																			
Code	Attendance		Prac Session		Patient Eval		Verbal Presn		Portfolio		Quizzes		Written Ex		Practical Ex		Final Ex		Final Grade Adjusted
	10%	PT	Score	PT	Score	PT	Score	PT	Score	PT	Score	PT	Score	Curv	PT	Score	PT	Score	
1 Hampel, Nicola	92	9.2	92	4.6	100	5.0	100	5.0	100	10.0	54	18.9	77	81	16.2	95	9.5	78	C
2 Jayadeep, Simbla	100	10.0	100	5.0	80	4.0	100	5.0	100	10.0	57	20.1	80	84	16.8	95	9.5	79	C
3 Ozuomba, Michael	100	10.0	100	5.0	83	4.2	100	5.0	100	10.0	56	19.6	70	74	14.8	80	8.0	77	F
4 Chheda, Vishal	75	7.5	75	3.8	86	4.3	100	5.0	100	10.0	62	21.7	86	90	18.0	75	7.5	76	C
5 Bulat, Elizabeth	100	10.0	100	5.0	96	4.8	100	5.0	100	10.0	70	24.4	84	88	17.6	85	8.5	83	B
6 Evans, Lekedra	100	10.0	100	5.0	96	4.8	100	5.0	100	10.0	65	22.6	73	77	15.4	85	8.5	83	C(-)
7 Woodward, Steve	100	10.0	100	5.0	95	4.8	100	5.0	100	10.0	62	21.6	71	75	15.0	80	8.0	80	F
8 Paras, Chahal	100	10.0	100	5.0	92	4.6	100	5.0	100	10.0	58	20.4	79	83	16.6	80	8.0	81	B
9 Hamed, Mousa	100	10.0	100	5.0		0.0	100	5.0	100	10.0	70	24.4	87	92	18.4	93	9.3	82	B
10 Kristen, Nico	100	10.0	100	5.0		0.0	100	5.0	100	10.0	68	23.9	78	82	16.4	80	8.0	83	B

- (1) Failed Final Exam. Remedial score 78. Final Grade: C(-)  
 (2) Failed Final Exam. Has not taken remedial  
 (3) Failed Final Exam. Did take remedial and failed  
 (4) Did not have OP rotation. Total score / 95  
 (4) Did not take OP rotation. Total Score / 95

EXHIBIT 1

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

RECEIVED  
JAN 19 2009

STEVEN WOODWARD,

BY: \_\_\_\_\_

Plaintiff,

v.

TRINITY HEALTH-MICHIGAN,  
a Michigan Nonprofit corporation,  
SUSAN CATHERINE ZONIA, an Individual,  
AMERICAN UNIVERSITY OF ANTIGUA  
COLLEGE OF MEDICINE,  
a Foreign corporation,

Defendants.

"OAKLAND"  
"COUNTY"

07-088103-CZ



JUDGE SHALINA KUMAR  
WOODWARD, STEV v TRINITY HEAL

NICOLETTI & ASSOCIATES, P.C.  
Paul J. Nicoletti (P44419)  
*Attorney for Plaintiff*  
39520 Woodward Avenue, Suite 200  
Bloomfield Hills, MI 48304  
248.203.7800

LAW OFFICE OF DAVID B. GUNSBERG, P.C.  
David B. Gunsberg (P24235)  
*Attorney for Defendants Trinity Health-  
Michigan and Susan Catherine Zonia; Co-  
Counsel for Defendant American University of  
Antigua College of Medicine*  
322 North Old Woodward Avenue  
Birmingham, MI 48009  
248.646.9090

LAW OFFICES OF BRYAN L. SCHEFMAN  
Bryan L. Schefman (P35435)  
*Attorney for Defendant American University  
of Antigua College of Medicine*  
322 North Old Woodward Ave.  
Birmingham, MI 48009  
248-723-1650

DEFENDANTS TRINITY HEALTH-MICHIGAN and SUSAN ZONIA'S  
CASE EVALUATION STATEMENT

DATE & TIME:

8:40 a.m., January 22, 2009

EVALUATORS:

Robert L. Stefani, Douglas C. Bernstein, Thomas J. Gagne **EXHIBIT 2**

In any event, in early December 2007, before Dr. Zonia's December 17 letter, Woodward took and failed the fifth semester Final Exam. AUA required an 80% score to pass the final exam. Based on AUA's curve for the exam, which was set by AUA in Antigua, Woodward scored a 75% on the final exam. Woodward received an "F" for the fifth semester.<sup>2</sup>

Woodward appealed his dismissal (but not the "F" for fifth semester) to Neil Simon at AUA. An appeal hearing was scheduled for July 10, 2008, but (again) Woodward refused to appear. The appeal was (apparently) denied. Zonia was not involved in the scheduling of the appeal procedures.

Woodward has not invoked in any appeals of his failing grade, requested to retake the fifth semester, sought readmission to AUA, or tried to enter any other medical school. Since December 2007, Woodward has been living on a sailing yacht in St. Maarten, scuba diving.

AUA issues a Student Handbook (**Exhibit 9**) which has disciplinary procedures. Woodward claims the Student Handbook is a "contract" between Woodward and AUA which was "interfered with" by Dr. Zonia. Woodward acknowledged that the AUA Disciplinary Committee could consider his unprofessional behavior and discipline him, including dismissal (Woodward Dep., pp. 149-150). In his amended complaint, which was untimely filed and not served, Woodward claims that the "breach" by AUA was that he was not given a "timely" appeal hearing on July 10, 2008, i.e. within 14 days of filing his appeal. Woodward, however, testified that he made a conscious decision not to

<sup>2</sup> Woodward claims he actually passed the final exam, but he never appealed his failing grade, although allowed to appeal under the Student Handbook.

L A W       O F F I C E  
of  
D A V I D   B .   G U N S B U U G

*Tell him how to  
spell his  
name*

November 3, 2008

Paul J. Nicoletti, Esq.  
39520 Woodward Ave, Suite 200  
Bloomfield Hills, MI 48304

Re: Steven Woodward v Trinity Health-Michigan, et al  
Case No. 07-088103-CZ / Judge Shalina Kumar

Dear Mr. Nicoletti:

Enclosed please find Defendants Trinity Health-Michigan and Susan Catherin Zonia's Answer to Plaintiff's Motion for Entry of Default and Judgment, Brief in Support of Answer to Plaintiff's Motion for Entry of Default and Judgment, and Proof of Service.

Very truly yours,

*David B. Gunsberg / lsm*  
David B. Gunsberg

DBG/lsm  
Encl(s)

RECEIVED  
NOV 04 2008

BY: .....

**EXHIBIT 3**



STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

STEVEN WOODWARD,

Plaintiff,

v.

TRINITY HEALTH-MICHIGAN,  
a Michigan Nonprofit corporation,  
SUSAN CATHERINE ZONIA, an Individual,  
AMERICAN UNIVERSITY OF ANTIGUA  
COLLEGE OF MEDICINE,  
a Foreign corporation,

Defendants.

"OAKLAND"  
"COUNTY" 07-088103-CZ



JUDGE SHALINA KUMAR  
WOODWARD, STEV v TRINITY HEAL

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NICOLETTI & ASSOCIATES, P.C.  
Paul J. Nicoletti (P44419)  
*Attorney for Plaintiff*  
39520 Woodward Avenue, Suite 200  
Bloomfield Hills, MI 48304  
248.203.7800

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LAW OFFICE OF DAVID B. GUNSBERG, P.C.  
David B. Gunsberg (P24235)  
*Attorney for Defendants Trinity Health-Michigan  
and Susan Catherine Zonia*  
322 North Old Woodward Avenue  
Birmingham, MI 48009  
248.646.9090

LAW OFFICES OF BRYAN L. SCHEFMAN  
Bryan L. Schefman (P35435)  
*Attorney for Defendant American University of Antigua  
College of Medicine*  
322 North Old Woodward Ave.  
Birmingham, MI 48009  
248-723-1650

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**Brief in Support of Answer to Plaintiff's Motion for Entry of Default  
and Judgment**

**STATEMENT OF FACTS**

***The Case:***

This is a Motion to Compel Discovery in a meritless case in which Plaintiff "washed out" of the fifth semester of his second year at the American University of Antigua Medical School (AUA). This case is not about

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**SallieMae**

www.SallieMae.com

P.O. Box 4200

Wilkes-Barre, PA 18773-4200

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October 13, 2010

Mr. Steven L. Woodward  
7211 Brittwood Lane  
Flint, MI 48507-4623

**RE: Your Student Loan Account** [REDACTED]

Dear Mr. Woodward:

This letter is in response to your inquiry requesting assistance with an issue you are having with St. Joseph Mercy Oakland Hospital and The American University of Antigua.

I have researched your account and have confirmed that you have three Excel Grad Loans that are serviced by Sallie Mae. These loans were borrowed to finance your attendance at Kasturba Medical College; not American University of Antigua. Enclosed please find copies of your promissory notes.

I hope that the information and documentation provided are helpful to you. You may contact me directly and toll-free at 888-545-4199, x89180, if you have any questions.

Sincerely,



Devin Hewitt  
Office of the Customer Advocate  
Sallie Mae

Enclosures



**EXHIBIT 4**

TRC 11/19/10 11:50 AM Page 11

11/19/10 11:50 AM

## Nellie Mae Loan Certification

App. #: 976417

Date: 11/07/06

File #: 9221

Fax: 866-347-0692

Tel.: 800-335-1900

### General Student Information

Student Name: STEVEN L. WOODWARD

Loan Type: MDEXCEL

SSN: [REDACTED]

Academic Loan Period: From: 09/06 To: 12/06

Program of Study: Medicine

Amount Approved: \$ 18,286

\* Medical Program of Study includes Dental

### Certification of Attendance

Academic Loan Period: From: 9-6-06 To: 12-26-06 Anticipated Graduation Date: 12/20/2009Student Grade Level: 4Is student enrolled at least 1/2 time? Yes ☒ No ☐

### Certification of Cost

Note: Applicant may borrow a guarantee fee in addition to the amount disbursed. Fee: 5.000 %

Complete for all students:

Preferred # of disbursements this loan: 1 ☒ 2 ☐ 3 ☐ 4 ☐ Hold / Release:Preferred 1st disbursement date: 11/7/06 and amount: \$ 18,286 H ☐ R ☐Preferred 2nd disbursement date: 1/1 and amount: \$            H ☐ R ☐Preferred 3rd disbursement date: 1/1 and amount: \$            H ☐ R ☐Preferred 4th disbursement date: 1/1 and amount: \$            H ☐ R ☐Total School Certified Amount: \$ 18,286

### Certification Options

Note: Participating institutions only. Call Nellie Mae for program details.

Interest Subsidy Options:

Interest subsidy flat rate.  
1 2 3 4 5 6 7 8 9 10Interest subsidy %.  
25 50 75 100

### College / University Certification

Note: The school certified amount must not exceed the cost of attendance less other aid for the loan period.

Financial Aid Office:

KASTURBA MEDICAL COLLEGE  
PO BOX 8 MANIPAL 576 119  
KARNATAKA  
INDIA, FC 576104

Signature and Date

Name (please print)

Title (please print)

DOE Code: 008450 00

Sevrine Barrie 11/7/06  
Sevrine Barrie  
Dean of Registration and  
Student Services

EXHIBIT 5

TRUE COPY OF THE ORIGINAL FAX

001/001

## Nellie Mae Loan Certification

App. #: 736939

Date: 01/06/06

File #: 9221

Fax: 800-931-2200

Tel.: 800-335-1900

## General Student Information

Student Name: STEVEN L. WOODWARD

Academic Loan Period: From: 01/06 To: 08/06 Loan Type: MDEXCEL

Program of Study:

medicine

Amount Approved: \$ 34,397

(Medical Program of Study includes Dental)

## Certification of Attendance

Academic Loan Period: From: 15-06 To: 8-25-06 Anticipated Graduation Date: 5/30/2009Student Grade Level: AIs student enrolled at least 1/2 time? Yes X No

## Certification of Cost

Note: Applicant may borrow a guarantee fee in addition to the amount disbursed.

Fee: 0%

Complete for all students:

Preferred # of disbursements this loan: 1 2 3 X 4    Hold / Release:Preferred 1st disbursement date: 1/10/06 and amount: \$ 17,198.50 H    R   Preferred 2nd disbursement date: 4/21/06 and amount: \$ 17,198.50 H    R   Preferred 3rd disbursement date:   /  /   and amount: \$    H    R   Preferred 4th disbursement date:   /  /   and amount: \$    H    R   Total School Certified Amount: \$ 34,397.00

## Certification Options

Note: Participating institutions only. Call Nellie Mae for program details.

Interest Subsidy Options:

Interest subsidy flat rate.  
1 2 3 4 5 6 7 8 9 10Interest subsidy %  
25 30 75 100

## College / University Certification

Note: The school certified amount must not exceed the cost of attendance less other aid for the loan period.

Financial Aid Office:

KASTURBA MEDICAL COLLEGE  
PO BOX 8 MANIPAL 576 119  
KARNATAKA  
INDIA, FC 576104

Signature and Date

Signature: SEWINE BARRIE  
Name (please print)Title (please print): Asst. Dean of Student Services

DOE Code: 008450 00

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AUA Newsletter

REQUEST VIEWBOOK

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SCHOOL OVERVIEW

ACADEMIC PROGRAMS

FACULTY & STAFF

CAMPUS & LOCATION

STUDENT FINANCIAL  
 AID

INTERNATIONAL STUDENTS

IN-HOUSE STATE  
 UNIVERSITY AFFILIATION

RESEARCH & INNOVATION

CONTACT FOR AUA AT  
 THE AUA

STUDENT BODY & STUDENT  
 ASSOCIATION

NEWS & EVENTS

CAREER AT AUA

STUDENT INFORMATION TO  
 US (P.T.A.)

ADMISSIONS

STUDENT SERVICES

HOME

## Susan Zonia, MD

Dr. Zonia received her Ph.D. in Sociology, with an emphasis on complex organizations and research methods, from Michigan State University in 1984. She served on the faculty of Wayne State University, in Detroit Michigan, and Michigan State University for a number of years. Dr. Zonia became involved in graduate medical education in 1992. Since then, she has played a central role in developing new internships, residency and fellowship programs. In 1999, Dr. Zonia completed a Fellowship in Health Policy. Currently, she serves as the Director of Medical Education for St. Joseph Mercy-Oakland Hospital in Pontiac, Michigan. She is also the Chair of the hospital's Institutional Research Board, overseeing all human subject research. She is a Board Member of AHME (Association of Hospital and Medical Educators) and is a Fellow, and the President-Elect of AODME (Association of Osteopathic Directors and Medical Educators).



Susan Zonia  
 MD

1-(888) 282-8633 (1-888-AUA-IMED) - TOLL-FREE ADMISSIONS LINE | 1-(212)661-8899 - GENERAL QUESTIONS  
 AMERICAN UNIVERSITY OF ANTIGUA C/O G.O.R.L. | C. | 2 WALL STREET, 10TH FLOOR | NEW YORK, NY 10005

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CARIBBEAN MEDICAL SCHOOL

*Sandra Ann Bennett*  
*November 4, 2010*

DR. SANDRA ANN BENNETT  
 BOARD MEMBER OF MI  
 STATE UNIVERSITY  
 APPROVED BY BOARD OF MI  
 STATE UNIVERSITY

**EXHIBIT 6**

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

STEVEN WOODWARD,

Plaintiff,

v

File No. 07-088103-CZ

HON. SHALINA KUMAR

TRINITY HEALTH-MICHIGAN,  
a Michigan Nonprofit corporation,  
SUSAN CATHERINE ZONIA, an individual,  
AMERICAN UNIVERSITY OF ANTIGUA  
A Foreign corporation,

Defendants.  
\_\_\_\_\_ /

DEPOSITION OF SUSAN ZONIA, PH.D.

Taken by the Plaintiff on the 3rd day of February, 2009, at 322 North

Old Woodward Avenue, Birmingham, Michigan, at 8:30 a.m.

APPEARANCES:

For the Plaintiff:

MR. PAUL J. NICOLETTI (P44419)  
Nicoletti & Associates, PC  
39520 Woodward Avenue, Suite 200  
Bloomfield Hills, Michigan 48304  
(248) 203-7800

For the Defendant:

MR. DAVID B. GUNSBURG (P24235)  
Law Office of David B. Gunsberg  
322 North Old Woodward Avenue  
Birmingham, Michigan 48009  
(248) 646-9090

Also Present:

Alex Pathenos

masters degree in sociology. I went to Michigan State University and received a Ph.D. in sociology.

Q And when was that?

A It's like deja vu. 1987 I got my Ph.D.

Q And you haven't always been living in Michigan because you were at the University of Missouri?

A Uh-huh (affirmative); correct.

Q How long have you been in Michigan?

A I've been in Michigan 30 years.

Q So you are not a medical doctor, you're a Ph.D.; is that correct?

A I am a doctor. I'm not a physician.

Q Okay. And you started at -- you started at Trinity in 2006; is that correct?

A Correct.

Q And when you started at Trinity in 2006 what was your position at that time?

A Because they had to change the medical staff bylaws I was called the chief academic officer.

Q And what were your responsibilities as chief academic officer?

A My responsibilities are not unlike being the principal of a very large high school. I oversee all of the academic programs, the physician faculty report to me. Ultimately I am responsible for the quality of the programs, for all of the reporting to the federal government, to